

Article - Estates and Trusts

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§5–104.

In granting letters in administrative or judicial probate, or in appointing a successor personal representative, or a special administrator as provided in Title 6, Subtitle 4 of this article, the court and register shall observe the following order of priority, with any person in any one of the following paragraphs considered as a class:

- (1) The personal representatives named in a will admitted to probate;
- (2) The personal representatives nominated in accordance with a power conferred in a will admitted to probate;
- (3) The surviving spouse and children of an intestate decedent, or the surviving spouse of a testate decedent;
- (4) The residuary legatees;
- (5) The children of a testate decedent who are entitled to share in the estate;
- (6) The grandchildren of the decedent who are entitled to share in the estate;
- (7) Subject to §§ 3–111 and 3–112 of this article, the parents of the decedent who are entitled to share in the estate;
- (8) The brothers and sisters of the decedent who are entitled to share in the estate;
- (9) Other relations of the decedent who apply for administration;
- (10) The largest creditor of the decedent who applies for administration;
- (11) Any other person having a pecuniary interest in the proper administration of the estate of the decedent who applies for administration; or
- (12) Any other person.

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